

By

P. C. C. C. C.

X J.R. No. 24

A JOINT RESOLUTION

proposing a constitutional amendment providing for annual legislative sessions.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III, Section 5, of the Texas Constitution is amended to read as follows:

Sec. 5. (a) The Legislature shall meet every year [~~two years~~] at such time as may be provided by law and at other times when convened by the Governor.

(b) When convened in regular Session in an odd-numbered year, the first thirty days thereof shall be devoted to the introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of the recess appointees of the Governor and such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided that during the succeeding thirty days of the regular session in an odd-numbered year [~~of the--Legislature~~] the various committees of each House shall hold hearings to consider and the Legislature shall act upon all bills and resolutions and other matters then pending; and such emergency matters as may be submitted by the Governor; provided further that during the following sixty days the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided, however, either House may otherwise

1 determine its order of business by an affirmative vote of  
2 four-fifths of its membership. The regular session convened in an  
3 odd-numbered year is limited in duration to 120 days.

4 (c) When convened in regular session in an even-numbered  
5 year, a House of the Legislature may not consider a bill or  
6 proposed constitutional amendment unless it relates to  
7 appropriations or state revenue, proposes a local or special law,  
8 or relates to an emergency matter submitted by the Governor in a  
9 special message to the Legislature. The regular session convened  
10 in an even-numbered year is limited in duration to sixty days.

11 (c-1) Until otherwise provided by law, regular sessions of  
12 the Legislature in even-numbered years shall convene at 12 noon on  
13 the second Tuesday in January. This subsection may be repealed by  
14 an Act of the Legislature.

15 (c-2) The first regular session of the Legislature held in  
16 an even-numbered year under Subsection (c) of this section shall be  
17 held in 1992. This subsection expires January 1, 1993.

18 SECTION 2. Article III, Section 24, of the Texas  
19 Constitution is amended to read as follows:

20 Sec. 24. (a) Members of the Legislature shall receive from  
21 the Public Treasury a salary of Six Hundred Dollars (\$600) per  
22 month. Each member shall also receive a per diem of Thirty Dollars  
23 (\$30) for each day during each Regular and Special Session of the  
24 Legislature. [~~No-Regular-Session-shall-be-of-longer-duration-than~~  
25 ~~one-hundred-and-forty-(140)-days-~~]

26 (b) In addition to the per diem the Members of each House  
27 shall be entitled to mileage at the same rate as prescribed by law

1 for employees of the State of Texas. [~~This amendment takes effect~~  
2 ~~on April 22, 1975.~~]

3 SECTION 3. Article III, Section 49a, of the Texas  
4 Constitution is amended to read as follows:

5 Sec. 49a. (a) It shall be the duty of the Comptroller of  
6 Public Accounts in advance of each Regular Session of the  
7 Legislature to prepare and submit to the Governor and to the  
8 Legislature upon its convening a statement under oath showing fully  
9 the financial condition of the State Treasury at the close of the  
10 last fiscal period and an estimate of the probable receipts and  
11 disbursements for the then current fiscal year. There shall also  
12 be contained in said statement an itemized estimate of the  
13 anticipated revenue based on the laws then in effect that will be  
14 received by and for the State from all sources showing the fund  
15 accounts to be credited during each of the next two fiscal years  
16 [~~the succeeding biennium~~] and said statement shall contain such  
17 other information as may be required by law. Supplemental  
18 statements shall be submitted at any Special Session of the  
19 Legislature and at such other times as may be necessary to show  
20 probable changes.

21 (b) Except [~~From and after January 1, 1945, save~~] in the  
22 case of emergency and imperative public necessity and with a  
23 four-fifths vote of the total membership of each House, no  
24 appropriation in excess of the cash and anticipated revenue of the  
25 funds from which such appropriation is to be made shall be valid.  
26 No [~~From and after January 1, 1945, no~~] bill containing an  
27 appropriation shall be considered as passed or be sent to the

1 Governor for consideration until and unless the Comptroller of  
2 Public Accounts endorses his certificate thereon showing that the  
3 amount appropriated is within the amount estimated to be available  
4 in the affected funds. When the Comptroller finds an appropriation  
5 bill exceeds the estimated revenue he shall endorse such finding  
6 thereon and return to the House in which same originated. Such  
7 information shall be immediately made known to both the House of  
8 Representatives and the Senate and the necessary steps shall be  
9 taken to bring such appropriation to within the revenue, either by  
10 providing additional revenue or reducing the appropriation.

11 ~~[For--the-purpose-of-financing-the-outstanding-obligations-of~~  
12 ~~the-General-Revenue-Fund-of--the--State--and--placing--its--current~~  
13 ~~accounts--on--a-cash-basis-the-Legislature-of-the-State-of-Texas-is~~  
14 ~~hereby-authorized-to-provide-for-the-issuance,-sale,-and-retirement~~  
15 ~~of-serial-bonds,-equal--in--principal--to--the--total--outstanding,~~  
16 ~~valid,-and-approved-obligations-owing-by-said-fund-on-September-1,~~  
17 ~~1943,-provided-such-bonds-shall-not-draw-interest-in-excess-of--two~~  
18 ~~{2}--per--cent--per-annum-and-shall-mature-within-twenty-{20}-years~~  
19 ~~from-date.]~~

20 SECTION 4. Article VIII, Section 22, Subsection (a), of the  
21 Texas Constitution is amended to read as follows:

22 (a) In no fiscal year [biennium] shall the rate of growth of  
23 appropriations from state tax revenues not dedicated by this  
24 constitution exceed the estimated rate of growth of the state's  
25 economy. The legislature shall provide by general law procedures  
26 to implement this subsection.

27 SECTION 5. Article XVII, Section 1, of the Texas

1 Constitution is amended to read as follows:

2       Sec. 1.   (a)   The Legislature, at any regular session in an  
3 odd-numbered year, or at any other [~~special~~] session when the  
4 matter is included within the purposes for which the session is  
5 convened, may propose amendments revising the Constitution, to be  
6 voted upon by the qualified electors for statewide offices and  
7 propositions, as defined in the Constitution and statutes of this  
8 State. The date of the elections shall be specified by the  
9 Legislature. The proposal for submission must be approved by a  
10 vote of two-thirds of all the members elected to each House,  
11 entered by yeas and nays on the journals.

12       (b)   A brief explanatory statement of the nature of a  
13 proposed amendment, together with the date of the election and the  
14 wording of the proposition as it is to appear on the ballot, shall  
15 be published twice in each newspaper in the State which meets  
16 requirements set by the Legislature for the publication of official  
17 notices of officers and departments of the state government. The  
18 explanatory statement shall be prepared by the Secretary of State  
19 and shall be approved by the Attorney General. The Secretary of  
20 State shall send a full and complete copy of the proposed amendment  
21 or amendments to each county clerk who shall post the same in a  
22 public place in the courthouse at least 30 days prior to the  
23 election on said amendment. The first notice shall be published  
24 not more than 60 days nor less than 50 days before the date of the  
25 election, and the second notice shall be published on the same day  
26 in the succeeding week. The Legislature shall fix the standards  
27 for the rate of charge for the publication, which may not be higher

1 than the newspaper's published national rate for advertising per  
2 column inch.

3 (c) The election shall be held in accordance with procedures  
4 prescribed by the Legislature, and the returning officer in each  
5 county shall make returns to the Secretary of State of the number  
6 of legal votes cast at the election for and against each amendment.  
7 If it appears from the returns that a majority of the votes cast  
8 have been cast in favor of an amendment, it shall become a part of  
9 this Constitution, and proclamation thereof shall be made by the  
10 Governor.

11 SECTION 6. This proposed constitutional amendment shall be  
12 submitted to the voters at an election to be held on November 7,  
13 1989. The ballot shall be printed to provide for voting for or  
14 against the proposition: "The constitutional amendment providing  
15 for annual sessions of the legislature."

HOUSE JOINT RESOLUTION

proposing a constitutional amendment providing for annual legislative sessions.

DEC 14 1988

1. Filed with the Chief Clerk.

JAN 24 1989

2. Read first time and referred to Committee on

State Affairs

3. Reported favorably (as amended) and sent to Printer at (as substituted)

4. Printed and distributed at

5. Sent to Committee on Calendars at

6. Read second time (amended) and (finally) passed to Third Reading by a Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting.

7. Motion to reconsider and table the vote by which H.J.R. \_\_\_\_\_ was ordered engrossed prevailed (failed) by (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting).

8. Read third time (amended) and finally adopted (failed of adoption) by a Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting.

9. Caption ordered amended to conform to body of resolution.

10. Motion to reconsider and table the vote by which H.J.R. \_\_\_\_\_ was finally adopted prevailed (failed) by a (Non-Record Vote) Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

11. Ordered Engrossed at

12. Engrossed.

13. Returned to Chief Clerk at

14. Sent to the Senate.

Chief Clerk of the House

15. Received from the House

16. Read, referred to Committee on

17. Reported favorably

18. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

19. Ordered not printed.

20. Regular order of business suspended by

(a viva voce vote.)

(\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

21. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

22. Read second time

passed to third reading by:  
(a viva voce vote.)

(\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

\_\_\_\_\_ 23. Caption ordered amended to conform to body of bill.

\_\_\_\_\_ 24. Senate and Constitutional 3-Day Rules suspended by vote of \_\_\_\_\_ yeas,  
\_\_\_\_\_ nays to place bill on third reading and final passage.

\_\_\_\_\_ 25. Read third time and passed by  
(a viva voce vote.)  
( \_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

OTHER ACTION:

OTHER ACTION:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_ 26. Returned to the House.

\_\_\_\_\_ 27. Received from the Senate (with amendments.)  
(as substituted.)

\_\_\_\_\_ 28. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record  
(Substitute) Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present,  
not voting).

\_\_\_\_\_ 29. Conference Committee Ordered.

\_\_\_\_\_ 30. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record  
Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

\_\_\_\_\_ 31. Ordered Enrolled at \_\_\_\_\_